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Art Unit 3728 JUN 0 9 2003

TECHNOLOGY CENTER R3700

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Appl. No. 10/050,048; Filed: January 17, 2002

Closure System For: Inventors:

Davis et al.

Our Ref:

1073.9370001/DKSC/RLP

Sir:

Transmitted herewith for appropriate action are the following documents:

- Reply To Requirement For Election Of Species; and 1.
- 2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Rae Lynn Prengaman Agent for Applicants

Registration No. 53,482

DKSC/RLP:dbi Enclosures

SKGF DC1:140335.1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Davis et al.

Appl. No. 10/050,048

Filed: January 17, 2002

For: Closure System

Confirmation No. 1191

Art Unit: 372

Examiner: Marie D. Patterson

Atty. Docket: 1073.9370001/DKSC/

Reply To Requirement For Election Of Species CEIVED

JUN 0 9 2003

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

TECHNOLOGY CENTER R3700

Sir:

In reply to the Office Action dated May 22, 2002, Applicants hereby provisionally elect species I (directed to a show as Shown in FIGs. 1-5) and subspecies A (directed to the shoe shown in FIGs. 1 and 2). Claims 1-6, 8-15, 17-20, 24 and 37 read on such species. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

Claims 20, 24 and 37 are generic to all species (I-V). Upon allowance of a generic claim, consideration of claims directed towards non-elected species is respectfully requested. Claims 1-6, 8-15, 17-19 are generic to all sub-species (A-D). Thus, upon allowance of a generic claim, consideration of claims directed to non-elected sub-species is respectfully requested. Applicants assert the right to claim additional species in the event that a generic claim thereto is found to be allowable in accordance with 37 C.F.R. § 1.141(a).

This election is made without traverse. However, Applicants do not fully understand the distinction between at least the various subspecies (A-D), nor is it readily apparent how a search addressing all of the subspecies is unduly extensive and

burdensome, particularly because of the large number of generic claims. Consequently,

consideration and allowance of all pending claims, are respectfully requested.

It is believed that extensions of time are not required, beyond those that may

otherwise be provided for in accompanying documents. However, in the event that

additional extensions of time are necessary to prevent abandonment of this application,

then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any

fees required therefor are hereby authorized to be charged to our Deposit Account

No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Rae Lynn Prengaman

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